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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

Federal Communications Commission
Office of the Secretary

In the Matter of)
)
Petition to Amend Part 68 of the)
Commission's Rules to Include)
Terminal Equipment Connected to)
Basic Rate Access Services)
Provided Via Integrated Services)
Digital Network Access Technology)

RM-7815

**COMMENTS OF THE INDEPENDENT DATA
COMMUNICATIONS MANUFACTURERS ASSOCIATION, INC.**

The Independent Data Communications Manufacturers Association, Inc. ("IDCMA"), by its attorneys, hereby responds to the Petition for Rulemaking filed on August 23, 1991, by Southwestern Bell Telephone Company ("Southwestern Bell"). Southwestern Bell seeks to extend the Commission's Part 68 registration program to equipment connected to Basic Rate Access ("BRA") services delivered via integrated services digital network ("ISDN") access technology. IDCMA supports the thrust of the petition and commends Southwestern Bell for this action. IDCMA urges the Commission to respond promptly by issuing a notice of proposed rulemaking based on Southwestern Bell's proposal.

I. INTRODUCTION AND INTEREST OF IDCMA

As the name indicates, IDCMA is comprised of companies that manufacture and market equipment used for

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computer (data) communications. The equipment includes modems, digital data sets, multiplexers, network management systems and a variety of related products, including products which connect with ISDN services. IDCMA has participated in virtually every major proceeding involving rules and policies for the provision of customer-premises equipment ("CPE") over the last twenty years. IDCMA's consistent objective throughout these proceedings has been to encourage the development of a competitive marketplace for the manufacture and provision of CPE.

IDCMA has been particularly active in proceedings relating to Part 68 of the Commission's rules and regulations. The technical standards first promulgated by the Commission when it established the registration program were derived largely from the record IDCMA compiled in Docket No. 19419.¹ IDCMA has vigorously participated in numerous subsequent proceedings involving the extension of the registration program to additional services, most notably "subrate" and 1.544 Mbps digital private line services.² IDCMA has also played a leading role in other

1/ See Proposals for New or Revised Classes of Interstate and Foreign Message Toll Telephone Service (MTS) and Wide Area Telephone Service (WATS), First Report and Order (Docket No. 19528), 56 F.C.C.2d 593 (1975) (subsequent history omitted).

2/ See Amendment of Part 68 of the Commission's Rules Concerning Connection of Equipment, Systems and Protective Apparatus to the Telephone Network (Interconnection Order), 94 F.C.C.2d 5 (1983), stay
(Footnote 2 continued on next page)

proceedings related to ISDN services, including the Commission's explicit application of the Digital NCTE ruling to ISDN,³ and the various Computer III proceedings wherein the Commission reviewed its policies governing the treatment of network channel terminating equipment ("NCTE") and multiplexers.⁴

IDCMA is proud of its contribution to the development of pro-competitive CPE policies. Those policies have proved to be beneficial not only to industry, but also to consumers. For example, as a direct result of the Commission's decision to require the unbundling of NCTE used with subrate and 1.544 Mbps digital services, prices for Data Service Units ("DSUs") and Channel Service Units ("CSUs") have steadily declined, the number of suppliers has skyrocketed and many new and useful features have become available.⁵

(Footnote 2 continued from previous page)

denied, Mimeo No. 1503 (rel. Dec. 23, 1983, Com. Car. Bur.), recon. denied, FCC 84-145 (rel. Apr. 27, 1984).

3/ See Integrated Services Digital Networks, 98 F.C.C.2d 249 (1984).

4/ See, e.g., Amendment to Sections 64.702 of the Commission's Rules and Regulations (Third Computer Inquiry (Phase II)), 2 FCC Rcd 3072, 3102-06 (1987), on reconsideration, 3 FCC Rcd 1150, 1165-68 (1988) (subsequent history omitted).

5/ There are currently over three dozen vendors of DSUs and CSUs. Since the Commission's decision to require unbundling of this equipment, the number of available equipment functions has quickly proliferated. For units handling subrate speeds, it is now possible to find
(Footnote 5 continued on next page)

II. DISCUSSION

Inclusion of Equipment for Connection to ISDN BRA Services in the Part 68 Registration Program. As ISDN becomes better established in the marketplace, it is appropriate to expand Part 68 to encompass equipment for connection to ISDN services. IDCMA has long favored extension of Part 68 to equipment for connection to ISDN services because the benefits which have accrued to users by including other types of equipment under the registration program will, inevitably, also result in the case of ISDN equipment.

While different service offerings of ISDN may have differing equipment compatibility and interoperability parameters, the inclusion of ISDN equipment in the Commission's registration program will enhance manufacturers' ability to serve their customers by eliminating idiosyncratic requirements which have been

(Footnote 5 continued from previous page)

units which feature multiple data rates; rate adaption; multiple channel support; proprietary device management; internal switched or digital backup options such as restoral via an internal digital or analog dial-up module; and improved monitoring and diagnostics. Units capable of handling T1 speeds now feature plug-in interfaces for use with new services (including ISDN); an increased number of connections and data channels; the ability to handle fractional T1 services; and increased intelligence through network management. See Johnson, "CSU/DSU: In Search of Universal Access," Data Communications, Sept. 1991, at 79-110.

unilaterally imposed for connection to ISDN.⁶ In Part 68 FCC/Industry meetings, IDCMA has repeatedly expressed its desire to work cooperatively with the Bell Operating Companies in the development of a Part 68 rulemaking proposal addressing this issue. Southwestern Bell's request for a rulemaking on this issue is a welcome development, and the Commission should respond promptly and favorably.

Uniform Technical Standards. The greatest virtue of adopting Part 68 rules for equipment connected to ISDN BRA services equipment is that establishment of a single set of technical standards will articulate the minimum mandatory criteria for connection of this CPE throughout the country. This will eliminate a serious problem which some manufacturers currently encounter, that is, the imposition of differing requirements for the connection of customer-provided equipment to ISDN BRA services. Instead of connection requirements which may now be unilaterally

^{6/} IDCMA recognizes that Part 68 requirements are intended only to address technical issues relating to potential harms to the telephone network and that the ISDN service offerings of different local exchange carriers may provide different feature arrangements, thereby affecting interoperability parameters. Considerations of network interoperability are ones which equipment manufacturers address in their equipment designs on a voluntary basis, subject to marketplace constraints. It is essential that manufacturers have access to all network information which affects not only the right to connect under Part 68, but also the network interoperation of CPE with network services and facilities. The Commission's network information disclosure rules are intended to ensure that all such information is disclosed in a timely manner.

imposed by any local exchange carrier, manufacturers will be required to satisfy only the Commission's uniform technical standards designed to protect the telephone network against any conceivable risk of harm. This situation will promote the rapid development of ISDN BRA services, maximize equipment availability for these services, and minimize the expense associated with their provision.

ISDN Basic Rate Access Interface. IDCMA's most fundamental objective with respect to rules affecting ISDN is to ensure that equipment located at the customer's premises is unbundled and provided on a competitive basis, like other CPE. Southwestern Bell's petition appears to be designed to accomplish precisely this objective. It implicitly incorporates the Commission's prior determination that the network demarcation for ISDN is at the "U" reference point, thereby promoting competition with respect to all NT1 functionalities.⁷ By foregoing needless debate

^{7/} Discussion of ISDN has often used a "reference model" which delineates various functions and interfaces. The "U" reference point lies between the transmission line and the NT1 (network termination 1). Proceeding further inward on the customer premises are the "T" reference point, the NT2, the "S" reference point, and other terminal equipment or, if required, terminal adapters. The Commission ruled some time ago that the ISDN network interface (or demarcation) lies at the "U" reference point. See Integrated Services Digital Networks, 98 F.C.C.2d at 260. As Southwestern Bell's proposal conforms to that decision, proceeding on the basis of their proposal will help to ensure that NT1/NT2 equipment is subject to the same intense competition that already exists for modems, multiplexers, Data Service Units and Channel Service Units, as well as other equipment.

on this issue, Southwestern Bell permits resources to be focused -- as they should be -- on details of implementation.

The Proposed Technical Standards. The specific technical standards set forth in the Appendix to Southwestern Bell's petition appear generally satisfactory. IDCMA agrees with the proposed revisions to the scope of Part 68, the proposed eighteen-month transition period,⁸ and the proposed definition of "ISDN Basic Rate Access Interface."

IDCMA reserves judgment on the proposed signal power limitations on encoded analog content, but recognizes that these have parallels in the rules adopted for subrate and 1.544 Mbps digital NCTE. The longitudinal balance limitations, as set forth in proposed Section 68.310(m), are taken verbatim from known standards and appear to be acceptable.⁹ The billing protection proposal should be

^{8/} It may not, however, be appropriate to define full versus limited "grandfather" rights based on conformance with an ANSI standard since that standard encompasses numerous technical requirements which go beyond the scope and purpose of Part 68, i.e., to prevent network harm.

^{9/} IDCMA suggests minor changes to this proposed rule. First, the reference to "NT" should be changed to "registered terminal equipment" because the term "NT" is not defined and could create confusion. Second, "increase" in line two of the last paragraph should be changed to "increases"; similarly "decrease" in line four of that paragraph should be changed to "decreases". Third, the reference to "Figure 21" in the last paragraph should be changed to "Figure 68.310(m)".

clarified, since the "on-hook" state is a foreign concept to ISDN, and billing protection is inherent in the ISDN network call control procedures.

With respect to jacks connecting ISDN BRA equipment to the network, IDCMA does not agree that the specification of the appropriate jack should be left to implementation by tariff. It is true that a tariff alternative currently exists in Section 68.104(c) of the Commission's rules for certain connections; however, that alternative was adopted only to avoid the need for separate rulemakings every time a new jack is needed.¹⁰ Since adoption of Southwestern Bell's proposal requires that a rulemaking proceeding be instituted in any event, it entails no additional effort to consider specification of an ISDN BRA registered jack while developing other Part 68 rules for ISDN BRA equipment.

IDCMA has not yet definitively analyzed all specific details of Southwestern Bell's proposals and reserves the right to comment with greater detail at a later time, such as in response to a notice of proposed rulemaking. For now, it suffices to say that Southwestern Bell's petition appears very much on track, and IDCMA

^{10/} See Proposals for New or Revised Classes of Interstate and Foreign Message Toll Telephone Service (MTS) and Wide Area Telephone Service (WATS), Memorandum Opinion and Order, 70 F.C.C.2d 1800, 1836-38 (1979). The Commission also stressed that, in any event, all plug-jack configurations would be "subject to regulatory review". Id.

strongly supports the request that the Commission initiate a rulemaking regarding the inclusion of equipment for use with ISDN BRA services in the Part 68 equipment registration program.

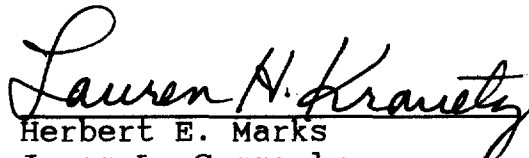
III. CONCLUSION

For the reasons stated above, IDCMA supports the overall thrust of Southwestern Bell's petition and encourages the Commission to initiate a rulemaking proceeding without delay. Competition and consumers will be served by extension of the registration program for equipment connecting to ISDN BRA interfaces.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Lauren H. Kravetz, do certify that on November 6, 1991 copies of the foregoing Comments of the Independent Data Communications Manufacturers Association, Inc. were either hand-delivered or sent by first-class postage prepaid mail to the following parties:

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